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PTO/SB/31 (04-07)

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional)  62,381A						
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ Signature _____ Typed or printed name <u>Melanie S. Bradley</u>	In re Application of <u>Terry W. Balko et al.</u> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; padding: 2px;">Application Number 10/816,611</td> <td style="width:50%; padding: 2px;">Filed 04/02/2004</td> </tr> <tr> <td colspan="2" style="padding: 2px;">For <u>6-Alkyl or Alkenyl-4-Aminopicolinates</u> and their use as Herbicides</td> </tr> <tr> <td style="padding: 2px;">Art Unit 1616</td> <td style="padding: 2px;">Examiner Sabiha Naim Qazi</td> </tr> </table>		Application Number 10/816,611	Filed 04/02/2004	For <u>6-Alkyl or Alkenyl-4-Aminopicolinates</u> and their use as Herbicides		Art Unit 1616	Examiner Sabiha Naim Qazi
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For <u>6-Alkyl or Alkenyl-4-Aminopicolinates</u> and their use as Herbicides								
Art Unit 1616	Examiner Sabiha Naim Qazi							
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.								
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) <span style="float: right;">\$ <u>500.00</u></span>								
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <span style="float: right;">\$ _____</span>								
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<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>								
I am the								
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<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)								
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>32,709</u> <span style="float: right;"><u>Craig E. Mixan</u> Signature</span>								
<span style="float: right;"><u>Craig E. Mixan</u> Typed or printed name</span>								
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____ <span style="float: right;"><u>317-337-4812</u> Telephone number</span>								
<span style="float: right;">Date _____</span>								
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.								
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.								

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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